

**571—41.3(462A) Authority to place markers.**

**41.3(1)** No waterway marker shall be placed on, in, or near the waters of the state unless such placement is authorized by the agency or political subdivision of the state exercising jurisdiction, with respect to regulation of boating, over the area where placed, except that the provisions of this section shall not apply to private aids to navigation under the jurisdiction of the U.S. Coast Guard.

**41.3(2)** Such agency or political subdivision of the state will, prior to authorizing placement, obtain the necessary clearances of federal and state agencies exercising regulatory authority over the area concerned.

**41.3(3)** The agency or political subdivision of the state authorizing the placement of a waterway marker will inform the department of natural resources of the following:

- a.* Exact location of the marker, expressed in distance and direction from one or more fixed objects whose precise location is known.
- b.* The description and purpose of the marker including its identifying number, if any.